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TRIPLOID CARP CERTIFICATION

APRIL 18, 1995.—Ordered to be printed

Filed under authority of the order of the Senate of April 6 (legislative day, April 5), 1995

Mr. CHAFEE, from the Committee on Environment and Public Works, submitted the following

R E P O R T

[To accompany S. 268]

The Committee on Environment and Public Works, to which was referred the bill (S. 268) to authorize the collection of fees for expenses for triploid grass carp certification inspections, and for other purposes, having considered the same, reports favorably thereon and recommends that the bill do pass.

GENERAL STATEMENT

The purpose of this legislation is to authorize the Director of the U.S. Fish and Wildlife Service (Service), Department of the Interior, to charge reasonable fees to offset Government expenditures for inspection and certification of triploid grass carp requested by a person who owns or operates an aquaculture facility. All such fees collected by the Service would be available to the Director without further appropriation to carry out the triploid grass carp certification inspections.

BACKGROUND

Grass carp were introduced into the United States in the 1960s to control aquatic vegetation. Since that time, grass carp have become a valuable aquaculture commodity used in public and private waters throughout the United States.

If reproducing populations of the exotic grass carp become established in river systems and other waters, their vegetation consumption would significantly alter the habitat upon which native species depend. In order to control grass carp populations, many States

allow only sterile "triploid" grass carp to be used. The triploid form differs from the natural diploid form of grass carp in that it has three sets of chromosomes in every cell. The Service began its involvement in the inspection and certification of triploid grass carp in 1979. The Service's Fisheries Program assumed responsibility for triploid grass carp certification in 1989. Many States depend on the Service to provide reliable scientific inspections in order to avoid adverse impacts on native species that would result from introduction of reproducing populations of grass carp. The Service conducts more than 550 inspections annually. In fiscal year 1994, over \$70,000 was spent on this program by the Service.

In January 1995, the Director of the Fish and Wildlife Service announced that the Service could no longer afford to provide the triploid grass carp certification inspection service to private grass carp producers. Fish and wildlife officials whose state regulations and decisions allowing use of triploid grass carp to control aquatic vegetation are based on the Service's triploidy verification procedures objected to the discontinuation of the certification program. Private producers of triploid grass carp notified the Service and the Congress of their willingness to reimburse the Service for the cost of the triploid certification inspections.

SECTION-BY-SECTION ANALYSIS

Section 1.—Collection of fees for triploid grass carp certification inspections

This Section authorizes the Secretary of the Interior, acting through the Director of the Fish and Wildlife Service (the Director), to charge reasonable fees for expenses to the Federal Government for triploid grass carp certification inspections requested by a person who owns or operates an aquaculture facility. Subsections (b) and (c) authorize the Director to use all such fees to carry out the triploid grass carp certification program without further appropriations.

HEARINGS

The Committee held no hearings on S. 268. The views of the Department of the Interior on S. 268 follow:

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, DC, March 17, 1995.

Hon. JOHN CHAFEE,
Chairman, Committee on Environment and Public Works, U.S. Senate, Washington, DC.

DEAR SENATOR CHAFEE: This responds to your request for the views of this Department on S. 268, a bill offered by Senator Bumpers to authorize the collection of fees for expenses to the Federal Government for triploid grass carp certification inspections.

The Department has previously submitted identical views to the House of Representatives on H.R. 649, the identical House equivalent to S. 268.

The Administration supports enactment of S. 268.

The Service continues strongly to support efforts to restore our Nation's ecosystems, particularly aquatic ecosystems. The Service also recognizes the needs of private aquaculture and the States in continuing triploid grass carp certification until a privatization of this function can be achieved in a manner acceptable to the States. However, during this time of declining budgets we can no longer pay the cost of providing triploid grass carp certification to private producers. Because private producers have notified the Service that they are willing, in the interim, to reimburse the Service for certification costs, we believe that enactment of S. 268 will allow the Service to help private aquaculture maintain operations while strengthening the ability of State aquatic resource conservation agencies to protect native wild stocks.

We have enclosed a brief memorandum providing further background on S. 268 and the triploid grass carp certification issue.

The Office of Management and Budget advises that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely,

GEORGE T. FRAMPTON, Jr.,
*Assistant Secretary,
 Fish and Wildlife and Parks.*

BACKGROUND, S.268, COLLECTION OF FEES FOR TRIPLOID
 GRASS CARP CERTIFICATION

The grass carp, *Ctenopharyngodon idella*, is a nonindigenous species whose adult stage feeds largely on plant matter. It was introduced to the United States to control aquatic vegetation (often nonindigenous itself) that had become problematic for recreational and other activities in public and private waters. The grass carp quickly became a valuable aquacultural commodity, but remains a concern to State fish and wildlife conservation agencies because of its potential to alter habitats and impact native species if allowed to establish reproducing populations.

In order to control grass carp populations without having to ban their use, many States allow only sterile grass carp to be used. The most common method of achieving sterility is by inducing triploidy (production of three sets of chromosomes). This means, however, that States need a scientifically credible third party to turn to for certification of triploidy. The U.S. Fish and Wildlife Service (Service) began its involvement in the certification of triploid grass carp in 1979. The program has now grown to more than 550 inspections per year for private growers in seven States whose products are shipped to some 30 States. In FY 1994, over \$70,000 was spent by the Service on this program.

During this time of declining budgets, the Service can no longer pay the cost of providing this service to private producers. However, many States now specifically require Service certification of triploidy as a precondition to bringing grass carp into the State. Several of these States have expressed concern that discontinuation of this program

will leave native stocks vulnerable to the impacts of a reproducing population of grass carp. Similarly, aquaculturists have expressed concern over the loss of continued access to the markets in these States if the Service does not provide triploidy certification services, at least until a privatization of this function can be achieved in a manner acceptable to the States. In the interim, the aquaculture community has notified the Service and Members of Congress that private producers are willing to reimburse the Service to offset certification costs.

ROLLCALL VOTES

Section 7(b) of rule XXVI of the Standing Rules of the Senate and the rules of the Committee require that any rollcall votes taken during the Committee's consideration of a bill be noted in the report.

A rollcall vote was taken on this bill by the full committee on March 23, 1995. The Committee reported the bill by a recorded vote of 16 to 0, a quorum being present.

REGULATORY IMPACT

Section 11(b) of rule XXVI of the Standing Rules of the Senate require the Committee to evaluate the regulatory impact of the reported bill. The bill has no regulatory impact.

COST OF LEGISLATION

Section 403 of the Congressional Budget and Impoundment Act requires that a statement of cost of the reported bill, prepared by the Congressional Budget Office, be included in the report. That statement follows:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, March 29, 1995.

Hon. JOHN H. CHAFEE,
Chairman, Committee on Environment and Public Works, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has reviewed S. 268, a bill to authorize the collection of fees for expenses for triploid grass carp certification inspections, and for other purposes, as ordered reported by the Senate Committee on Environment and Public Works on March 23, 1995. CBO estimates that enacting S. 268 would have no net impact on the federal budget. However, the bill would affect direct spending; therefore, pay-as-you-go procedures would apply.

S. 268 would authorize the U.S. Fish and Wildlife Service (USFWS) to charge fees for inspection and certification of grass carp. (These fish are used by the aquaculture industry and others to control the growth of aquatic vegetation.) All such fees collected would have to be used for the inspection/certification program, and would be available for that purpose without further appropriation.

Based on information provided by the USFWS, we estimate that under S. 268 the federal government would collect and spend be-

tween \$50,000 and \$100,000 annually. Because new offsetting receipts and direct spending would be approximately equal each year, there would be no net impact on the federal budget.

Enacting S. 268 would have no impact on the budgets of state or local governments.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Deborah Reis.

Sincerely,

JUNE E. O'NEILL, *Director*.

CHANGES IN EXISTING LAW

In compliance with section 12 of rule XXVI of the Standing Rules of the Senate, changes in existing law made by the bill as reported are to be shown. This bill does not change existing law.

